

3:10cv445

Defendant.

After an independent and thorough review of the magistrate's memorandum, Plaintiff's objections thereto, and a de novo review of the record, the court concludes that the recommendation to grant Defendant's Motion for Summary Judgment and to deny Plaintiff's Motion for Summary Judgment is correct and in accordance with law. Accordingly, the findings and conclusions of the magistrate are accepted and Defendant's Motion for Summary Judgment is GRANTED.

IT IS THEREFORE ORDERED that the memorandum and recommendation of the
magistrate is hereby AFFIRMED.

Signed: September 30, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

